

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 10-55737

JOHN RUSH, JR., *pro se*,

Chapter 7

Debtor.

Judge Thomas J. Tucker

ORDER DISMISSING CASE

On October 28, 2009, the Debtor John Rush, Jr. and his spouse filed a joint voluntary petition for relief under Chapter 13, initiating Case No. 09-73190. On November 19, 2009, the Court entered an Order dismissing that case and barring the Debtors “either jointly or individually, *without an attorney*” from filing another bankruptcy petition for 180 days (*i.e.*, until May 17, 2010), “*unless* Debtors are represented by an attorney who signs Debtors’ bankruptcy petition.” (Docket # 23 in Case No. 09-73190.) Nonetheless, on May 12, 2010, Debtor, who is not an attorney, and without being represented by an attorney who signed the bankruptcy petition, filed another voluntary petition for relief, under Chapter 7, initiating this case. Debtor filed this case in violation of the 180-day bar. In addition, the voluntary petition is defective for the following reasons: (1) Debtor did not sign the voluntary petition (Debtor’s typed name on the signature line is not a signature); (2) an unknown party other than the Debtor signed on the line for the signature of the “Joint Debtor,” even though there is no joint debtor in this case.

For these reasons,

IT IS ORDERED that this case is DISMISSED.

Signed on May 13, 2010

/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge